

Interior to obtain possession of certain Crown lands for homestead purposes.

Rep. Marques also offered a resolution calling for a stoppage of all work on the new market until a committee could investigate the plans and see whether a more commodious building and better site could not be obtained.

Rep. Brown wishes to ask Minister of Interior whether the Government has awarded any contract to build the market.

Minister Spencer states the contract has been signed by Minister of the Interior, but not by the other party. All work has been stopped and nothing has been done except on foundation.

Rep. Brown moves to lay on table. When the Appropriation Bill comes up the House can express itself on the question, but now it is not policy to adopt it.

It was moved to refer to Committee on Public Lands. Rep. Brown accepts that motion and it is carried.

Rep. Kalua gives notice of intention to introduce an act authorizing His Majesty to call a convention for purpose of making a Constitution. He also offered a resolution that \$10,000 be inserted in the Appropriation Bill to improve road on Maui; laid on table with Appropriation Bill.

Rep. Bush reads by title, under suspension of rules, act to abolish konohiki sea fisheries; bill takes its course.

President appoints a Special Committee on Cemetery at Palama as follows: Noble Pua, Noble Anderson, Reps. R. W. Wilcox, Rice and Rosa.

Minister Spencer gives notice of the following bills: 1. Relating to Licenses from the Interior Department; 2. Defining highways and defining certain rights and duties in connection therewith; 3. To provide for the opening and closing of highways; 4. Relating to the peddling of cakes.

Noble Pua reads Act to regulate the departure of native Hawaiians from the Kingdom. Bill takes usual course.

Rep. Lucas reads Act to extend time granted to Inter-island Cable Construction Co.

Rep. Waipulani reads his Act amending certain sections of the Civil Code regarding the appointment of district justices. Bill takes its course.

Rep. Kahookano reads his Act amending certain sections of the Civil Code, raising the jurisdiction of district justices in civil cases to \$300.

Rep. Lucas gives notice of Act to amend section 102 of Civil Code.

President Walker states that he has a communication from the late Attorney-General which is read by the secretary, presenting to the House the list of officials in the service of the Hawaiian Government with the nationality, salary, etc.

Rep. Kahookano moves the list be translated and printed. Carried.

Rep. Brown moves the order of the day. Carried.

Bill to transfer custody of prisoners from the department of the Minister of the Interior to that of the Attorney-General. Secretary reads the bill.

Minister Peterson moves that the Act pass.

Rep. Brown and Noble Baldwin call attention to the fact that certain words had been left out.

Rep. Brown moves reference to Enrollment committee.

Rep. Rosa and Noble Walbridge state that they have not seen the bill since enrollment.

Rep. Nawahi says the bill seems to be correct enough but would like to ask whether the prisoners are still kept in jail and not working.

Minister Spencer states that they are not working.

Rep. Nawahi thinks keeping prisoners in jail without work is direct violation of the law. The new Ministry seem to be following in the steps of the old Ministry in this matter. I think they ought to be sent to work. Minister ought to be so instructed.

Rep. Kahookano—Am in favor of passage of the bill.

Minister Peterson says the reason the prisoners are not at work is because a Judge of the Supreme Court has decided that prisoners cannot work on a public work for which the appropriation has been exhausted. All appropriations are now exhausted and prisoners must be kept quiet until the Supreme Court has decided whether they can be used or not. Matter has been argued before the full Court and expect decision in a few days.

Noble Widemann—I do not think this is the proper time to discuss this matter, but as it is up I will say a word. I consider the act of the late Minister of the Interior in locking up prisoners was very extraordinary. I think the Ministers have perfect authority to send them out to work on the roads as the law requires.

Noble Baldwin thinks the question is not what is to be done with the prisoners but what is to be done with the bill and remarks of Rep. from Hilo and honorable Noble from Oahu are entirely out of place. The Attorney-General has stated very clearly the position of the Cabinet and I think it is correct. Honorable member from Hilo can bring a resolution if he wants to. I support reference to the Enrollment committee as the bill is not correctly engrossed.

Noble Widemann—If the honorable Noble from Maui had listened to me he would have heard me say that I did not think this the proper time to discuss the matter. He then proceeded to discuss the question himself. The decision of the Supreme Court has nothing to do with the question whether the prisoners shall stay in jail doing nothing while we pay for their support.

Rep. Nawahi made some lengthy remarks in the same strain as before, but as none of them had any reference to the question before the House they were not interpreted. Motion to refer to Enrollment committee carried.

Third reading of the bill relating to foreclosure and sale of mortgages.

Rep. Kalua moves the bill pass.

Rep. White—I signed report recommending adoption of the bill but I now think it will work hardship to native Hawaiians. I think this law has been got up by Mr. Castle to protect him in some of his previous transactions. He has sold some property and is afraid sale was not legal so he gets his friend Mr. Baldwin to bring this bill in to protect him from actions for damages. The bill shortens the time in which mortgaged property can be sold. I move reference to Select committee.

Rep. Kapahaele—The honorable member has suddenly discovered that the bill is bad. He made no objection before. The bill is a good one and ought to pass and only makes plainer what the Supreme Court has already decided to be the law.

Rep. White wishes to ask the Attorney-General about this matter.

Attorney-General—My own opinion has always been that the meaning of the law is different from that expressed in

this bill. But Judge Bickerton has decided otherwise. What the full Court will decide I do not know.

Rep. White renews his motion to refer to special committee and moves the previous question; carried.

Motion to refer to select committee, on a rising vote, was lost.

Motion that bill pass was carried. House took at 12:10 a recess to 1:30.

#### Afternoon Session.

The House re-assembled at 1:35. Special order of the day was the consideration of the Appropriation Bill in Committee of the Whole.

The President called Rep. Kanealii to the chair.

Rep. Kalua says bill must all be read through.

Rep. Brown says resolution gave House permission to consider item by item—inquiry being made.

Minister Brown says if Ministry wish to amend, it will do so in the course of the consideration of the bill.

Noble Isenberg moved consideration item by item.

After some desultory debate on the part of Rep. Nawahi and others on the question of reading the bill by title in the House, Minister Brown moved one section be read; carried.

One section is read.

Minister Brown moves to strike out figures in first section giving the total amount and leave it blank; carried.

#### CIVIL LIST.

His Majesty's private purse, \$40,000. Minister Cummins moves the item pass; carried.

H. R. H. the Heir Presumptive, \$10,000; carried.

H. R. H. Princess Kaiulani, \$4,800; carried.

His Majesty's Chamberlain, \$6,000. Minister of Finance moves to strike out the words "Whose appointment to and retention in office shall be subject to the approval of the Cabinet;" carried.

Item as amended carried.

His Majesty's household expenses, \$12,000.

Rep. Brown wishes to know whether this item includes care of palace grounds; carried.

State entertainments, \$8,000.

Minister of Foreign Affairs moves item read; \$10,000.

Rep. Kalua moves to strike out altogether and insert in department of Foreign Affairs where it would more properly appear.

Rep. Rosa—Do not think it was intention to confine this item to reception of strangers. It was also intended to cover other entertainments and relieve His Majesty's purse from the burden. If transferred to Foreign Department it would refer to strangers only and will not relieve His Majesty, and I object to transfer to the Foreign Affairs Department.

Noble Widemann—The member from Waialua is mistaken in his argument. It will relieve His Majesty in any case. I am willing to vote for it and am willing to have it transferred to Foreign Affairs Department, but the clause requiring the Minister of Foreign Affairs to approve bills I don't believe in at all, and I think almost an insult to the King.

Rep. Rosa said if words referred to are stricken out, I will withdraw my motion.

Rep. Marques—I see no reason for putting item in department of Minister of Foreign Affairs. All countries vote a sum to enable the sovereign to give entertainments. I move to amend making money payable in submission of vouchers to Minister of Finance.

The motion to pass at \$10,000 was carried.

The Chairman ignored Rep. Marques's amendment, and Rep. Marques rose to a point of order which was not ruled on, and the motion to transfer to Foreign Affairs Department was carried.

Rep. Lucas moved to insert \$4,800 for Her Majesty Queen Kapiolani. I see nothing here for Her Majesty, and I know she spends a great deal for good purposes among the Hawaiian people, and has little left for herself, and I think the House ought to give her something.

Rep. Kalua—I do not object to making allowance for Her Majesty, but the amount is absurdly small and seems almost insulting.

Rep. Kalua raises to \$6,000 and on Noble Widemann's suggestion to \$10,000.

Rep. Kapahaele—No appropriation was made last session, and we do not know that it is needed. If we once commence, a great deal will be added to the bill, and I am not in favor of the item.

Rep. Nawahi is in favor of \$4,800.

Rep. White, in a speech of considerable length, favored \$5,000.

Rep. Kalua made remarks [not translated].

The motion to insert \$5,000 was lost.

The motion to insert \$4,800 was lost.

#### PERMANENT SETTLEMENTS.

J. O. Dominis, \$3,600; passed.

Hon. H. Kuiehani, \$1,200; passed.

Mrs. Barnard, \$600; passed.

Rep. Kalua states item is in account with an act now in force.

Rep. Rosa moves insertion, Mrs. Kanoa Paiku \$240; she is the wife of a policeman who was in the service of the country for thirty years. His widow is old and destitute.

Attorney-General Peterson seconds the motion of member from Waialua. I knew the man and think item should pass.

Noble Widemann—While I do not object to giving this widow \$10 a month, object to this method. There are other widows in just the same fix. If we are going to follow this system, we ought to pass a law covering all the cases.

Rep. Nawahi—Am opposed to it on the same ground as Noble Widemann. We have just given Mrs. Barnard \$600. Why should we not give this woman, if we give her anything, the same? Is it because she is a native and Mrs. Barnard a haole?

Rep. Brown says Rep. Marques has given notice of a bill to provide for pensions for retired Government officials. I therefore move item be deferred until that bill has been considered.

Rep. Kapahaele—The House does not know what the circumstances of this woman are; I therefore move reference to a select committee.

Rep. Rosa speaks in Hawaiian.

Rep. Waipulani favors reference to a select committee.

Noble Cornwell agrees with member from Waialua that the widow of a faithful servant of the Government is entitled to some assistance, and I shall support his motion.

Rep. Nawahi—Am in favor of reference to a special committee. This is only thirty cents a day. Perhaps she ought to have more, perhaps as much as Mrs. Barnard.

Rep. White was in favor of a special committee. Perhaps the widow is still young and good-looking, and after we have passed this some aged millionaire

may come along and be willing to be a father to her children.

Rep. Kalua—Am not in favor of item. Think it better be postponed until day after session is prorogued. Motion to refer to select committee is lost. (On a rising vote.) Motion to defer until bill of Rep. Marques on pension matters is considered, was lost. Motion to insert item was lost (on a rising vote.)

Expenses of Legislature, \$25,000; passed.

Secretary Privy Council, \$200; passed. Incidentals Privy Council, \$100; passed.

#### JUDICIARY DEPARTMENT.

Chief Justice, \$12,000; passed.

First Assist. Justice, \$10,000; passed.

Second Assist. Justice, \$10,000; passed.

Third Assist. Justice, \$10,000; passed.

Clerk Supreme Court, \$6,000.

Rep. Rosa moves to increase to \$7,000. I notice clerks of other departments are proposed to be increased to \$7,000, and they have less to do. He has to give a \$10,000 bond, and is very faithful and hard working, generally coming at 8 o'clock, sometimes at 6, and working late. He has no perquisites, because he has no time to earn them, and the perquisites go to the first deputy. I think we ought to recognize a faithful Hawaiian. The National Reform party has come here to establish that principle.

Noble J. M. Horner—Cannot as competent a man be got for \$6,000?

Rep. Rosa—I do not think so. It is a matter of experience and promotion. Mr. Henry Smith is well versed in Hawaiian. His predecessor was not and without Mr. Smith's help he could not have conducted the work of that office.

Minister Brown—These appropriations are all made in accordance with the recommendation of the Judiciary Department and they are probably the best judges of the matter. I agree with all that has been said as to the merit of the present incumbent. The member from Hilo suggested that he might not be occupying the office to-morrow, and then someone else will get what he is not entitled to. The salary is voted for the office not the incumbent. It is true some salaries are proposed to be raised but the House has not acted on them yet. I move this pass as in the bill.

Motion to raise to \$7,000 was lost. Motion to pass as in the bill was carried.

Deputy clerk \$4,000.

Rep. Kalua moves reference of this and salary of the second deputy clerk to a special committee because the salaries are here set at the same figure. Motion carried.

Shorthand reporter \$6,000.

Attorney-General Peterson—Under the present arrangement his work was simply to report in Court and everything outside was a perquisite. On this ground he accepted a comparatively small salary.

Noble Widemann—\$3,000 is a good salary and he ought to do all the Government work for that sum.

Attorney-General Peterson—Would move that the item pass as in the bill. It has been very difficult to obtain good shorthand reporter. The Supreme Court has made two failures in the attempt. To get a good reporter for the Court is hard even in California.

Noble Widemann—I did not say \$3,000 was a large salary, but it is a good salary. We could have got a man from England or Germany who would have done all our work for that salary and jumped at the chance.

Rep. Kapahaele—I move item pass at \$5,000. Formerly it was \$4,000, now they want to make it \$6,000.

Rep. Bush—Am in favor of the item as it stands. It is hard to get a good man in the United States; good reporters get \$3,000, \$4,000 and in some cases \$5,000 a year.

Noble Widemann—I would ask whether the reporter furnishes report of evidence to Court. (Attorney-General—Whenever desired.) I don't object to salary but think all the Government work ought to be done for it. Am informed he has a bill of a \$1,000 against this Legislature now. That isn't a flea bite by any means.

Rep. Nawahi says we ran along a great many years without a shorthand reporter. We didn't die under it and don't see any great need for one now.

Motion to pass at \$6,000 was carried.

Noble Cornwell moved committee rise, report progress and ask leave to sit again. Carried.

The House adjourned at 4 P. M. to 10 A. M. Tuesday.

#### Twenty-Second Day.

#### TUESDAY, JULY 1.

The House met at 10 A. M. Prayer by Chaplain. Minutes read and approved.

Noble Baldwin presented petition praying for semi-weekly mail service between Lahaina and Kahakuloa, Maui, instead of weekly. Laid on table to be considered with Appropriation Bill.

Rep. White presented petition from Lahaina praying that term of circuit Court continue at Lahaina. Laid on table to be considered with bill. From Lahaina to re-establish office of Governor. Laid on table with bill on subject.

Rep. Rickard presented petition from Hamakua with 128 signatures for new road to cost \$4,000; from Kukuiahae to bottom of Waipio Valley. Referred to Committee on Public Lands.

Noble W. Y. Horner presented petition with 70 signatures from Lahaina for repairing wharf and deepening channel; \$4,000 breakwater; \$500 market house and flag; \$6,000 wagon road from Olowalu and for repairing bridges, etc., in the district. Laid on table to be considered with Appropriation Bill.

Noble Pua presented petition from Honolulu that lunatics be not compelled to work. Referred to Sanitary Committee, from Honolulu that persons serving in coroner's jobs be paid \$2 per day and \$1 for verdict.

Rep. Kapahaele moves petition be laid on table to be considered with any bill on subject. Carried.

Noble Walbridge presented petition from Kahului praying for a sufficient supply of water for domestic purposes. Laid on table to be considered with Appropriation Bill.

Rep. A. S. Wilcox presented petition from lepers in Kalalua, Kauai, that they be undisturbed and appropriation to support them; also from Hanalei that Kalalua be set apart for Kanai lepers. Referred to Sanitary Committee. Also from Hanalei for appropriation for certain improvements in that district. Referred to Committee on Public Lands.

Rep. Kahookano presented petition from Kohala that number and pay of police in that district be increased. Referred to Judiciary Committee.

Rep. Kamai presented petition from Hana that a liquor license be granted for Kaupo at \$100, referred to Judiciary Committee; from Kananali that all Gov-

ernment lands be leased to Hawaiians only, referred to Public Lands Committee; from Hana that marriage be annulled when either married persons contract leprosy, laid on table with bill on subject.

Noble McCarthy reports for Military Committee as to removal of one company of rifles, that, as it cost the Government nothing and was sanctioned by the Minister and commanding officer, that they had a right to move.

Rep. Kalua—I do not approve report of committee, because they have not done their duty. The company has not merely moved away, but have taken Government property with them, which they had no right to do. If these things go on we will have another revolution. The report either ought to be sent back to the committee or it ought to be tabled and the matter turned over to another committee. (The President: You have made no motion.) I did, Mr. President. My motion is to table the report. The committee seems to think moving all the arms of the company away from Government armory was alright; I don't think so. If one company does that another will. One company will be in one part of the town, another in another, and finally we shall have another revolution. Committee have simply done as the Minister did when he let the company go off because it wanted to.

Rep. Robt. Wilcox—I agree with remarks of the honorable member; the committee report is a disgrace to the committee. Such things are not heard of in other civilized countries. If this is to be done, what is to prevent me from organizing a company of 200 men at my own expense to-morrow, if a company can withdraw from Government control in this way? This is simply got up by Bishop & Co., who furnish money to create disturbances. If people wish to have another revolution, to have Honolulu reduced to ashes and a farmer's boy on the throne of Hawaii, this is the way to go about it. I have been informed that the expenses of Company B are all being paid by Mr. Bishop, the banker, whose idea is to have another revolution and to have a missionary for King. The whole military organization of the country is a disgrace—the military bill was drawn by a lot of people who knew nothing about military tactics. There are people here loaded with military titles, colonels, captains, etc., which are about as appropriate as a diamond in a swine's snout; people who have had no military education and know nothing about military affairs.

Noble McCarthy—On behalf of committee, I will say that by a vote of the House the Minister's answer was referred to committee to see whether any law had been broken by this removal. We found that the company had a legal existence by statute. The statute places the materials, arms, etc., under the general supervision of the Minister of Foreign Affairs. This Company B wished to move their quarters to the new armory; they asked permission of the Minister and he had a right to grant it, and did grant it, and, therefore, no law has been broken. It has been said that political significance was attached to this move. Now, Mr. President, I have been connected with the organization six years and know the ins and outs of it, and I know the move had no political significance. These companies exist under a law different from any elsewhere. There is nothing to compel members to come to drill. A great many joined whose enthusiasm soon cooled. They did not want to carry guns and wear uniforms in the streets. They said they were the laughing stock of the community. If there was a place where they could put on their uniform they would come. I say it was right to make any arrangement which would facilitate their coming to drill. I will say that we and others are in favor of disbanding the military, but as long as it does exist, I think this was alright. I think the money spent on the volunteer military is spent foolishly and could be better spent on the police; but that when the military are disbanded the community will have peace. I think the report of the committee is a just and proper report and should be approved by the House. I do not think Mr. Kalua or any other member of this House can show that any law has been violated.

Rep. Kalua—I am not satisfied with what has been said by the chairman of committee. I blame the committee simply for endorsing the wrong action of the Minister. The committee report does not state the real reason why the company went off by themselves. The Government property is in a private house. Suppose that house should burn.

Noble Cornwell—This report is not final but merely a report on the questions addressed to the Minister. They have not been holding secret meetings such as resulted in July last in one of the most disgraceful acts ever perpetrated on Hawaiian soil. They had a right to drill where they please, and I think the report ought to be sustained.

Rep. Rickard moves adoption of report. It should be accepted because the company moved only under orders of the Minister exercising his legal authority. As to the military force in general, I think we would be better off. Our recent troubles wouldn't have happened if there had been no rifles here. Whenever this subject comes up, the member for Honolulu loses his self-control and abuses almost everyone. We ought to take measures to check these streams of abuses. It is not right, honorable, or gentlemanly to drag, without cause, the names of respectable citizens before this House. It is a disgrace. The remarks of the member from Waialua are addressed chiefly not to the House, but to those behind the bar there, and is calculated to excite those well-meaning Hawaiians. We are here to smooth things over and not to excite disturbance. I do not stand here to defend a committee against the safety and peace of this country, but I think the committee has only done its duty.

Rep. Brown—I am one of the unfortunate committee as it seems to be, since in merely doing its duty, has brought down the wrath of certain members of the House. The answers to questions are generally left alone, but these were referred to the committee without any instructions. What is it that is wanted of the committee? Do they want us to make a new military law, or what? I haven't been able to find out. I am not in favor of the military. When it comes up in the appropriation bill I shall vote against it. I have always opposed it as long as I have been a member of the House, but without success. If anyone who is opposed to this report will give any reason for their objection, or say what they want done, all right. But otherwise if they send the report back to us we will keep it. If anyone wants to have the company sent back, let him introduce a resolution instructing the Minister of Foreign Affairs to that effect. All these honorable members are talking

is something which has happened and is past.

Noble Widemann—This matter lies in a nutshell. A certain company asked permission to move to another armory. The Minister had the legal right to grant this permission and he did grant it, and that is all the committee have reported. I fail to see what else the committee could have reported, unless they had traveled out of their record. The honorable members from Honolulu and Waialua take different ground. They impugn the motives of the late Minister of Foreign Affairs and the way it was done. In that idea I am with them heart and hand. I do not believe in the military law and think with the member from Honolulu that it is simply ridiculous, and I said so here two and a half years ago. But those are matters foreign to this report. If they wish the report referred back to the committee they must tell them what to do. There is no use now in commenting on the late Minister of Foreign Affairs. He has resigned and quit the country and we can't reach him. If anything is wanted outside of this report, let this be accepted and some new motion made embodying what is wanted.

Rep. Kapahaele moves report be accepted and laid on the table, because deductions of committee are not correct. The statute does not allow the Minister to grant any such permission.

Recess at 12:25 till 2 o'clock.

#### Afternoon Session.

House re-assembled at 2 P. M.

The motion to lay report on the table was carried.

Noble Horner offered a resolution as follows: Whereas, our present laws compel expenditure of a large portion of the public money for matters of interest only to property owners of Honolulu; resolved that a committee be appointed, 1 from Kanai; 2 from Oahu; 1 from Maui and 1 from Hawaii, to inquire into the matter, and if so to report a bill to remedy the matter. While electric lights and water works may be investments which yield the Government a profit, sewers and other matters are not of that character and are of no value to inhabitants of the outer districts, and it is an injustice to the country districts for the benefit of the property or health of Honolulu. No general government elsewhere is compelled to take care of the streets of the capitol. In the United States the new streets are paid for by local tax and not by the general government. I move the passage of this resolution.

Noble Widemann—I think gist of this matter is, municipal government for Honolulu. I wish he had looked into difficulties of matter. This is nothing new; it was up on the floor of this House thirteen years ago. The waterworks will not pay 1 per cent. If that is spent where the late Minister proposed, I fear the new market will prove a dead dog too. But the biggest fraud of all is the electric light. I am far from denying there is some justice in what the gentleman says.

Noble Horner—I do not wish the idea to circulate that I am aiming at municipal government. I am simply aiming at a committee to devise some remedy if possible for the evil.

Rep. Kapahaele thought committee would interfere with the duties of the Minister of the Interior.

The resolution was adopted.

The chair appointed as committee, Nobles Horner, Isenberg, Baldwin, Widemann, and Rep. Marques.

President Walker—There is a vacancy in Public Lands committee. I will appoint Rep. Lucas. As committee on salaries of Second and Third Deputy clerks of the Supreme Court, I appoint Rep. Kalua, Nobles McCarthy and Marden, Reps. Bush and Horner.

Rep. Nawahi—Resolved that the following items be inserted in the appropriation bill: \$13,000, water works for Hilo; \$5,000, market for Hilo; \$5,000, custom house for Hilo.

Rep. Kapahaele thought this resolution ought to be referred to same committee as that just appointed to consider appropriations for Hilo. There was just as little reason for Honolulu people to pay for the market at Hilo as for Hilo people to pay for one in Honolulu.

Rep. Nawahi—The two cases are not the same. Hilo has never had a market